

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

FLOYD FULTON,	:	
Plaintiff,	:	
vs.	:	Case No. 3:13cv00285
CAROLYN W. COLVIN,	:	District Judge Thomas M. Rose
Acting Commissioner of the Social	:	Chief Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #13), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on February 9, 2015 (Doc. #13) is ADOPTED in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff Floyd L. Fulton was under a "disability" within the meaning of the Social Security Act;
4. This case is remanded to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. §405(g) for further consideration consistent with this Decision and Entry and the Report and Recommendations; and

5. The case is terminated on the docket of this Court.

March 2, 2015

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge